

# WEST VIRGINIA -ELECTION CONNECTION-

*Your source for Election News from Secretary of State Natalie E. Tennant*

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Issue 28 – April 17, 2012

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## **3 Weeks Until the May Primary!**

On Tuesday, April 17 there will be exactly 3 weeks until the May Primary!

## **New Wayne County Clerk**

The West Virginia Secretary of State's Office would like to welcome the new Wayne County Clerk, Joan Potter.

She was appointed to fill the unexpired term of Clerk Jim Booten, who passed away last week.

## **Redistricting Information Requested**

If any county has not completed redistricting within the SVRS and needs assistance, please contact the HAVA Division to schedule a time for working on this issue.

## **Text Alerts From The Secretary of State's Office**

On Election Day The Secretary of State's Office will again be hosting live webcasts throughout the day. These webcasts will basically be status reports of the situation statewide – issues, solutions, turnout reports, etc. There will be no set schedule for these webcasts, as it's not known what circumstances will warrant them. However, we will be letting people know a webcast is coming up by sending out text message alerts (you can sign up here: <http://apps.sos.wv.gov/pr/smssubscriptions.aspx>) or by Facebook updates ([www.facebook.com/wvsos](http://www.facebook.com/wvsos)), and also through conference calls and emails sent to the county clerk addresses. You can watch the webcasts by clicking on the banner that will be at the top of the Secretary of State's website at [www.wvsos.com](http://www.wvsos.com).

### **Important Dates Coming Up**

- **April 12-18:** Publish Sample Ballot for Early Voting (Not more than twenty-six nor less than twenty days preceding the primary election) Ballot commissioners publish sample official primary ballot for each party, nonpartisan candidates, and public questions as follows: (1) for counties in which two or more qualified newspapers publish a daily newspaper, publish a Class I-0 legal advertisement in the two qualified daily newspapers of different political parties within the county having the largest circulation; (2) for counties having no more than one daily newspaper, or having only one or more qualified weekly newspapers, publish sample as Class I legal advertisement in qualified newspaper having largest circulation. (§ 3-5-10, 59-3-1 et. seq.)
- **April 17 (Approx):** Publish Notice of Inspection of AutoMark and Ballots for Early Voting (Not later than 3 days prior to the date of inspection. Inspection shall be not less than 5 days prior to election. Clerk of the county commission places a Class I-0 legal advertisement announcing the time and place of inspection of AutoMark. (§3-4A-13)
- **April 17:** Voter Registration Deadline (Voter registration for an election shall close twenty-one days before the election, or on the first day thereafter which is not a Saturday, Sunday or legal holiday) Completed application of eligible voter for registration, transfer, change of political party or other change submitted by the close of voter registration will be effective for any subsequent election, if:
  - o received at office of clerk of the county commission, no later than the hour of the close of registration;
  - o accepted by a designated agency or motor vehicle licensing office no later than the hour of the close of registration;
  - o accepted through a registration outreach program no later than the close of registration;
  - o addressed to the appropriate clerk of the county commission and postmarked by the postal service no later than the close of registration.

Voters must change party affiliation on file by close of registration in order to participate in that party's primary election. (§ 3-2-6, 3-2-7).
- **April 18-23:** Notification of Ballots and AutoMark Readiness for Early Voting (Not later than 7 days before early voting) County clerk shall notify the county commission that the ballots and AutoMark are ready for use. (3-4A-13)
- **April 18 (deadline):** Correct Incomplete Applications for Voter Registrations (Within four business days after the close of registration) County clerk may correct applications for voter registration containing incomplete information if applicant provides the required information. (§ 3-2-6(b)(1))
- **April 20:** Public Inspection of Vote Recording Devices and Ballots AutoMark for Early Voting (Five days prior to early voting) County commissioners and

ballot commissioners convene to inspect the devices and the ballots to determine if all applicable provisions of law are met. (3-4A-13)

- **April 20 (deadline):** Accept Voter Registration Card by Mail without Postmark (No later than the third day following the close of registration) Last day an application for registration may be accepted if addressed to the appropriate clerk of the county commission and received by mail with the postmark missing or illegible. (§ 3-2-6(b)(2)(A)).
- **April 23-27:** Pre-Primary Financial Reports Due (Fifteen days or within 4 business days thereafter preceding primary election) Candidates, agents, treasurers and persons making independent expenditures file with the Secretary of State or clerk of the county commission a detailed itemized statement setting forth all financial transactions made subsequent to the last report filed. All legislative candidates file campaign finance forms with Secretary of State's Office regardless of district. (§ 3-8-5, 3-8-5a, CSR 146-3-8).
- **April 23-May 7:** "Last Minute" Independent Expenditures Reported (Expenditure made on or after the fifteenth day but more than twelve hours before the day of any election - report must be received within 24 hours after the expenditure is made) Independent expenditures in the amount of \$1,000 or more for statewide, legislative or multi-county offices or in the amount of \$500 or more for county, single-county or municipal offices which are made must be reported within 24 hours to the Secretary of State or the clerk of the county commission.
- **April 24-May 6:** Public Notice of Time and Place of Test for Automatic Tabulating Equipment (ERM) for Election Day (Not less than 48 hours or more than 2 weeks prior to the testing of such equipment. Test shall be 1 week prior to counting votes) Clerk of the county commission places a Class I-O legal advertisement announcing time and place for testing of automatic tabulating equipment. (§ 3-4a-26, 59-3-1 et. seq.).
- **April 25-May 5:** Early Voting In Person (New language beginning on the thirteenth day and continuing through the Saturday before the Tuesday primary election). Voter may vote an early ballot at the county clerk's office during normal business hours; additionally, early voting must be conducted between 9 a.m. and 5p.m. on the last two Saturdays before the primary election. (§3-3-3).
- **April 30:** Public Notice of Inspection of AutoMark and Ballots for Election Day (Not later than 3 days prior to the date of inspection. Inspection shall be not less than 5 days prior to the election.) Clerk of the county commission places a Class I-O legal advertisement announcing the time and place of inspection of AutoMark. (3-4A-13)
- **May 1:** Public Test of Automatic Tabulation Equipment (ERM) for Election Day (Ivo, 650, M-100) (In counties using automatic tabulating, one week prior to the start of the count of the votes) County commission in counties with automatic tabulating equipment and immediately send certified copy of program deck or disk to State Election Commission. Public notice given no more than two weeks and not less than 48 hours before test by publication of

Class I-O legal advertisement. (April 24 - May 6, 2012) (§ 3-4A-26, 59-3-1 et. seq.)

- **May 1:** Notification of Ballots and AutoMark Readiness for Election Day (Not later than 7 days before the election) County clerk shall notify the county commission that the ballots and AutoMark are ready for use. (3-4A-13).
- **May 1-May 7:** Publish Official List of Candidates or Sample Ballot for Election Day (On the last day on which a newspaper is published immediately preceding the primary election) Ballot commissioners publish the official list of candidates and issues, or the sample ballot, as follows: (1) for counties in which two or more qualified newspapers publish a daily newspaper, publish as Class I-O legal advertisement in the two qualified daily newspapers of different political parties within the county having the largest circulation; (2) for counties having no more than one daily newspaper, or having only one or more qualified weekly newspapers, publish as Class I legal advertisement in qualified newspaper having largest circulation. Counties may choose to publish the sample ballot for a second time instead of the official list. (§ 3-5-10, 59-3-1 et. seq.)
- **May 1-May 7:** Instructional Program Make-Up Session (Within last seven days before election) Clerk of the county commission conducts make-up session for election officials unable to attend regular session. (§ 3-1-46(c), 3-4-13, 3-4A-14)
- **May 1 - Noon, May 8, 2012:** Request Emergency Medical Absentee Ballot (No earlier than the seventh day preceding the election and no later than noon of election day) Period in which an eligible person (a member of said voter's immediate family or hospital personnel) may request an emergency absent voter ballot. Eligible persons include: (1) a voter who, on election day, is in the hospital or other duly licensed health care facility within the county of their residence (or, provided the county commission has adopted an extension of service, to a health care facility in an adjacent county or within 35 miles of the county seat); or (2) a voter who resides for less than 30 days prior to the election in a nursing home within the county, provided the county commission has adopted an extension of service to those facilities.

### **Upcoming Presidential Primary Elections and Caucuses**

- April 24
  - o Connecticut Primary (28)
  - o Delaware Primary (17)
  - o New York Primary (95)
  - o Pennsylvania Primary (72)
  - o Rhode Island Primary (19)
- May 8
  - o Indiana Primary (46)
  - o North Carolina Primary (55)
  - o West Virginia Primary (31)
- May 15

- Nebraska Primary (35)
  - Oregon Primary (28)
- May 22
  - Arkansas Primary (36)
  - Kentucky Primary (45)
- May 29
  - Texas Primary (155)
- June 5
  - California Primary (172)
  - Montana Primary (26)
  - New Jersey Primary (50)
  - New Mexico Primary (23)
  - South Dakota Primary (28)
- June 26
  - Utah Primary (40)

### **Have an idea?**

Is there something that you want to see addressed in the Election Connection? The goal of this newsletter is to keep everyone up to date about challenges facing election officials in West Virginia and to inform everyone about best practices that are being put into place. If you have an idea for a topic, have a question, or if you think there is a subject that election officials around the state would be interested in, please do not hesitate to contact the Secretary of State's Office. You can contact the Elections Division by email at [elections@wvsos.com](mailto:elections@wvsos.com) or (304) 558-6000 or Jake Glance directly at [jglance@wvsos.com](mailto:jglance@wvsos.com). Your input is appreciated.